

Remarks

In the 26 March 2007 Election/Restriction Requirement, the Examiner has offered an opinion that a restriction for the above noted application is proper because it allegedly contains five (5) distinct inventions.

The 5 allegedly distinct inventions are said to include the pending claims as shown below:

- Invention 1 - Claims 71 -81 (Group 1),
- Invention 2 - Claims 82-90 (Group 2),
- Invention 3 - Claims 91-100 (Group 3),
- Invention 4 - Claims 101-105 (Group 4)
- Invention 5 - Claims 106-121 (Group 5)

As part of a response to the 26 March 2007 Election/Restriction Requirement, the Assignee is expected to select a group of claims for further examination and/or the filing of an amended appeal brief. Accordingly the Assignee, without commenting on whether or not there is a statutory basis for the restriction, whether or not there are separate inventions, whether or not the alleged separate inventions are distinct and/or whether or not the alleged separate inventions are independent, elects group 4 (claims 101 - 105).

Objections

The Assignee objects to the review of this application by TC 3600. The Examiners, Primary Examiners and Supervising Examiners from TC 3600 appear to have a substantial bias against the Assignee as demonstrated by a continuing pattern of authorizing, authoring and/or approving the use of the following:

1. Different standards than those used for large corporations when determining subject matter eligibility (see for example 09/761,670, 10/012,375, 10/645,099),
2. Different standards than those used for large corporations when reviewing prior art (see for example 08/999,245, 09/640,450 and 10/282,113),
3. Different standards than those used for large corporations when reviewing written description (see for example 09/668,983, 09/761,670 and 10/746,673), and
4. Different standards than those used for large corporations when reviewing claim indefiniteness (see for example 10/097,344, 10/012,375 and 10/441,385)

These efforts are enabled by what appears to be the systematic use of different classifications of similar inventions from different size companies.

Conclusion

The Assignee respectfully requests consideration of the present application as amended herewith.

Respectfully submitted,



B.J. Bennett, President Asset Trust, Inc.

Date: May 26, 2007